

Agency Legislative Budget								
Budget Item	Base Budget Fiscal 2000	PL Base Adjustment Fiscal 2002	New Proposals Fiscal 2002	Total Leg. Budget Fiscal 2002	PL Base Adjustment Fiscal 2003	New Proposals Fiscal 2003	Total Leg. Budget Fiscal 2003	Total Leg. Budget Fiscal 02-03
FTE	21.00	2.00	(5.00)	18.00	2.00	(5.00)	18.00	18.00
Personal Services	814,971	80,345	(167,661)	727,655	85,814	(168,299)	732,486	1,460,141
Operating Expenses	455,474	77,606	5,910	538,990	75,875	7,910	539,259	1,078,249
Equipment	7,014	486	0	7,500	6,486	0	13,500	21,000
Grants	8,671,100	1,277,055	841,670	10,789,825	1,277,055	692,000	10,640,155	21,429,980
Benefits & Claims	807,017	(2,619)	(804,398)	0	(717)	(806,300)	0	0
Total Costs	\$10,755,576	\$1,432,873	(\$124,479)	\$12,063,970	\$1,444,513	(\$274,689)	\$11,925,400	\$23,989,370
General Fund	2,511,110	41,853	(759,149)	1,793,814	55,410	(759,689)	1,806,831	3,600,645
Federal Special	8,244,466	1,391,020	634,670	10,270,156	1,389,103	485,000	10,118,569	20,388,725
Total Funds	\$10,755,576	\$1,432,873	(\$124,479)	\$12,063,970	\$1,444,513	(\$274,689)	\$11,925,400	\$23,989,370

Agency Description

The Montana Board of Crime Control (MBCC) Division was established to promote public safety by strengthening the coordination and performance of the criminal and juvenile justice systems. The Crime Control Division operates under the general supervision of the Montana Board of Crime Control. The Crime Control Division provides financial support, technical assistance, and supportive services to state and local criminal justice agencies. The Crime Control Division administers federal anti-drug and anti-crime grants, certifies peace officers and others in the criminal justice system, provides funding for juvenile justice programs, and provides assistance and compensation to victims of crime. In addition, the division collects and analyzes crime data from Montana law enforcement agencies and publishes the annual "Crime in Montana" report. The division is established in law by Section 2-15-2006, MCA.

Summary of Legislative Action

Legislative action results in a decrease from the fiscal 2000 base budget of 3.0 FTE and an increase of approximately \$2.5 million in total funds (including a decrease of \$1.4 million general fund). The decrease is due to SB 254, which transfers the duties and responsibilities (including 5.0 FTE) for administration of the Crime Victims Compensation Act of Montana from the Division of Crime Control to the newly created Office of Victims Services in the Department of Justice. The transfer included 5.0 FTE, \$1.5 million general fund, and \$450,000 in federal funds. If SB 254 is not considered, the legislature added 2.0 FTE over the fiscal 2000 base budget and increased total funds by approximately \$4.4 million, primarily due to increased grants.

Other Legislation

Senate Bill 254 - SB 254 transfers the duties and responsibilities for administration of the Crime Victims Compensation Act of Montana from the Division of Crime Control to the newly created Office of Victims Services in the Department of Justice (this includes 5.0 FTE). Even though the transfer of this program and FTE reduces the number of FTE at Board of Crime Control to below 20.0, the legislature did not approve restoring vacancy savings.

House Bill 637 - HB 637 provides for an Office of Restorative Justice in the Department of Justice to promote the use of restorative justice and to provide technical assistance and grants for restorative justice programs. The legislature appropriated up to \$200,000 in state special revenue for providing grants to communities for restorative justice programs. A state special revenue account, known as the restorative justice account, will account for money received from: 1) legislative allocations; 2) transfers of money from state or local agencies for the purposes of the Office of Restorative Justice; and 3) gifts, donations, grants, legacies, bequests, or devises made for the purposes of the Office of Restorative Justice.

Agency Budget Comparison								
Budget Item	Base Budget Fiscal 2000	Executive Budget Fiscal 2002	Legislative Budget Fiscal 2002	Leg – Exec. Difference Fiscal 2002	Executive Budget Fiscal 2003	Legislative Budget Fiscal 2003	Leg – Exec. Difference Fiscal 2003	Biennium Difference Fiscal 02-03
FTE	21.00	24.00	18.00	(6.00)	24.00	18.00	(6.00)	
Personal Services	814,971	926,019	727,655	(198,364)	931,590	732,486	(199,104)	(397,468)
Operating Expenses	455,474	555,607	538,990	(16,617)	552,137	539,259	(12,878)	(29,495)
Equipment	7,014	7,500	7,500	0	13,500	13,500	0	0
Grants	8,671,100	10,640,155	10,789,825	149,670	10,640,155	10,640,155	0	149,670
Benefits & Claims	807,017	774,815	0	(774,815)	776,717	0	(776,717)	(1,551,532)
Total Costs	\$10,755,576	\$12,904,096	\$12,063,970	(\$840,126)	\$12,914,099	\$11,925,400	(\$988,699)	(\$1,828,825)
General Fund	2,511,110	2,558,671	1,793,814	(764,857)	2,571,941	1,806,831	(765,110)	(1,529,967)
Federal Special	8,244,466	10,345,425	10,270,156	(75,269)	10,342,158	10,118,569	(223,589)	(298,858)
Total Funds	\$10,755,576	\$12,904,096	\$12,063,970	(\$840,126)	\$12,914,099	\$11,925,400	(\$988,699)	(\$1,828,825)

Executive Budget Comparison

Legislative action results in a decrease from the Executive Budget of 6.0 FTE and a decrease of \$1.5 million general fund and \$1.8 million in total funds for the 2003 biennium. Major changes include:

1. transfer of the Crime Victim Compensation function to the Department of Justice. This transfer was the outcome of SB 254, which involved the transfer of 5.0 FTE, \$1.5 million in general fund, and \$1.9 million in total funds for the biennium;
2. non-approval of 1.0 FTE requested by the Board of Crime Control for subgrant fiscal support;
3. reduction in general fund of \$2,352 per year for an 11 percent travel reduction;
4. an increase in federal authority for pass-through grants; and
5. approval of a new federal grant in fiscal 2002 for computer crime.

Funding

General fund is used to support: 1) the Youth Detention Services Grant Program; 2) operation of the Peace Officer Standards and Training Program; 3) the Montana Uniform Crime Reporting System; 4) general agency administration; 5) technical assistance to local law enforcement; and 6) state matching funds for the administration of the Juvenile Justice, Juvenile Accountability, and Drug Enforcement federal grant programs.

Federal funds are primarily used for pass-through grant programs. However, federal funding is also used for administration of the Juvenile Justice, Juvenile Accountability, Drug Education, Victim Assistance, Stop Violence Against Women, Enforce Underage Drinking Laws, Statistical Analysis Center, and Drug Enforcement federal grant programs.

Table 1 shows pass-through grants and benefits for fiscal 2000 through the 2003 biennium incorporating SB 254, which moved the Crime Victims Compensation function to the Department of Justice.

Table 1			
Pass Through Grants & Benefits			
	FY 2000	FY 2002	FY 2003
	Actuals	Appropriated	Appropriated
<u>General Fund</u>			
Juvenile Detention Centers	<u>\$1,134,942</u>	<u>\$1,114,942</u>	<u>\$1,114,942</u>
Subtotal - General Fund	1,134,942	1,114,942	1,114,942
<u>Federal Fund</u>			
Drug Free Schools	398,573	428,587	428,587
Juvenile Challenge Grant	87,500	87,500	87,500
Victim Assistance	1,120,449	1,600,000	1,600,000
Juvenile Delinquency Prev.	144,741	144,741	144,741
Criminal Records/Sex Offender Reg.	384,811	512,389	512,389
Violence Against Women	808,157	816,000	816,000
Drug Enforcement	2,547,359	2,608,361	2,608,361
Juvenile Justice	497,256	656,259	656,259
Substance Abuse Treatment	-	350,000	350,000
Law Enforcement Assistance	201,621	201,621	201,621
Juvenile Accountability Incentive	1,182,537	1,614,600	1,614,600
State Identification System	163,155	163,155	163,155
Computer Crime Unit		149,670	
Enforce Underage Drinking Laws	<u>-</u>	<u>342,000</u>	<u>342,000</u>
Subtotal - Federal Fund	7,536,159	9,674,883	9,525,213
Total Grants & Benefits	<u>\$8,671,101</u>	<u>\$10,789,825</u>	<u>\$10,640,155</u>

Present Law Adjustments										
-----Fiscal 2002-----						-----Fiscal 2003-----				
	FTE	General	State Special	Federal Special	Total Funds	FTE	General	State Special	Federal Special	Total Funds
Personal Services					56,402					61,891
Vacancy Savings					(23,911)					(24,076)
Inflation/Deflation					264					1,120
Fixed Costs					9,937					10,740
Total Statewide Present Law Adjustments					\$42,692					\$49,675
DP 1 - Subgrant Fiscal Support	1.00	0	0	35,607	35,607	1.00	0	0	33,867	33,867
DP 3 - Office Lease	0.00	12,880	0	14,285	27,165	0.00	12,880	0	14,285	27,165
DP 4 - Computer Network Services	0.00	3,368	0	2,632	6,000	0.00	3,368	0	2,632	6,000
DP 5 - Equipment	0.00	0	0	486	486	0.00	6,486	0	0	6,486
DP 6 - Motor Pool Leased Vehicles	0.00	1,631	0	4,176	5,807	0.00	1,758	0	4,501	6,259
DP 7 - Juvenile Detention Program Coordination	0.00	0	0	0	0	0.00	0	0	0	0
DP 10 - Federal Grant Increases for Pass Through Funds	0.00	0	0	1,297,055	1,297,055	0.00	0	0	1,297,055	1,297,055
DP 12 - Crime Victims Compensation FTE	1.00	0	0	0	0	1.00	0	0	0	0
DP 13 - Crime Victim Compensation Grant Increase	0.00	0	0	29,583	29,583	0.00	0	0	29,583	29,583
DP 696 - Data Network Fixed Cost Reduction	0.00	(155)	0	(104)	(259)	0.00	(155)	0	(104)	(259)
DP 699 - Vacancy Savings at 4 Percent	0.00	(8,139)	0	(3,124)	(11,263)	0.00	(8,178)	0	(3,140)	(11,318)
Total Other Present Law Adjustments	2.00	\$9,585	\$0	\$1,380,596	\$1,390,181	2.00	\$16,159	\$0	\$1,378,679	\$1,394,838
Grand Total All Present Law Adjustments					\$1,432,873					\$1,444,513

Present Law Adjustments

The "Present Law Adjustments" table shows the primary changes to the adjusted base budget made by the legislature. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Legislative decisions on these items will be applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 1 - Subgrant Fiscal Support - The legislature approved federal funds of \$35,607 in fiscal 2002 and \$33,867 in fiscal 2003 to increase the fiscal staff by 1.0 FTE (grade 13). The 1.0 FTE will perform accounting functions and provide oversight and technical assistance to address an increase in the number of subgrants issued. The operating costs for the first year of the biennium would include a one-time-only purchase of equipment.

DP 3 - Office Lease - Due to space limitations in the old Livestock Building, the Crime Control Division moved to new office space that is not located in a state building. The legislature approved \$41,900 each year for increased non-Department of Administration rent and reduced Department of Administration rent by \$14,735.

DP 4 - Computer Network Services - The move to new office space meant that the division would no longer be able to use the local area network used by the Department of Justice when it connects to the state mainframe. The legislature approved \$3,368 in general fund and \$2,632 in federal funds each year of the 2003 biennium to contract for these services.

DP 5 - Equipment - The legislature approved \$486 of federal funds in fiscal 2002 and \$6,486 in general fund in fiscal 2003 for the replacement of one file server each year of the biennium, and to purchase a network color laser printer. The base budget for equipment is \$7,014.

DP 6 - Motor Pool Leased Vehicles - The legislature approved the executive request to lease two motor pool vehicles, but reduced the amount by \$4,457 in fiscal 2002 and \$4,835 in fiscal 2003 to account for a miscoding.

DP 7 - Juvenile Detention Program Coordination - The Office of Juvenile Justice and Delinquency Prevention (OJJDP) found that the Crime Control Division is not in compliance with the regulatory provisions of the OJJDP block grant, which requires that a full time staff devote 100 percent of its time to the federal grant program. Currently, all general fund detention funds are passed through to local governments. No funds are used for administration of this state-funded program. The legislature approved moving \$20,000 from grants to operating expenses in each year of the 2003 biennium to allow the division to contract for the coordination of this program and to bring it into compliance with the OJJDP block grant requirements.

DP 10 - Federal Grant Increases for Pass Through Funds - The legislature approved increased federal authority of \$1,297,055 each year. The Crime Control Division administers federal anti-drug, anti-crime, and victim assistance grants. The board provides funding to local, regional, and statewide projects.

DP 12 - Crime Victims Compensation FTE - The legislature approved an increase in the Crime Victim's Compensation Program staff by 1.0 FTE. The proposal does not include new funds for this position as the funding would come from moving money in the base budget from crime victims benefits to personal services. With the passage of SB 254, the Crime Victim's Compensation unit is transferred to the Department of Justice as indicated in new proposal DP 15.

DP 13 - Crime Victim Compensation Grant Increase - The legislature approved an increase of federal funding for crime victim compensation of \$29,583 per year for a total grant of \$225,000 each year of the 2003 biennium. With the passage of SB 254, the Crime Victim's Compensation unit is transferred to the Department of Justice as indicated in new proposal DP 15.

DP 696 - Data Network Fixed Cost Reduction - The legislature approved fees and charges for data network support provided by the Information Services Division of the Department of Administration at a level lower than that proposed by the executive and used to develop the associated fixed cost budget requests. This adjustment removes the corresponding fixed costs from agency budgets.

DP 699 - Vacancy Savings at 4 Percent - The legislature approved increasing the statewide vacancy savings rate to 4 percent and including the state share of health insurance premiums in the calculation for determining the amount. With the passage and approval of SB 254, the Crime Victim's Compensation unit and 5.0 FTE were transferred to the Department of Justice. This reduction in FTE brought the division below 20.0 FTE. The legislature did not approve restoring vacancy savings.

New Proposals -----Fiscal 2002-----						-----Fiscal 2003-----				
Prgm	FTE	General	State Special	Federal Special	Total Funds	FTE	General	State Special	Federal Special	Total Funds
DP 8 - Enforcing Underage Drinking Laws Grant										
01	0.00	0	0	360,000	360,000	0.00	0	0	360,000	360,000
DP 9 - Residential Substance Abuse Training										
01	0.00	0	0	350,000	350,000	0.00	0	0	350,000	350,000
DP 14 - Computer Crime Unit										
01	0.00	0	0	149,670	149,670	0.00	0	0	0	0
DP 15 - SB 254 - Transfer Crime Victims Comp.										
01	(5.00)	(756,797)	0	(225,000)	(981,797)	(5.00)	(757,337)	0	(225,000)	(982,337)
DP 693 - Statewide Travel Reduction										
01	0.00	(2,352)	0	0	(2,352)	0.00	(2,352)	0	0	(2,352)
Total	(5.00)	(\$759,149)	\$0	\$634,670	(\$124,479)	(5.00)	(\$759,689)	\$0	\$485,000	(\$274,689)

New Proposals

DP 8 - Enforcing Underage Drinking Laws Grant - The legislature approved federal authority of \$360,000 for each year of the 2003 biennium to assist local governments in developing programs to enforce underage drinking laws. Five percent of the funds are flagged for administration; the remainder will be granted to units of government, tribal governments, school districts, and non-profit organizations. No state match is required for receipt of these funds. This grant is intended to increase a given community's ability to enforce underage drinking laws through local initiatives such as increased enforcement, alternative sentencing programs, training relative to alcohol sales and enforcement, and increased community planning through community-oriented policing.

In February 2000, the Governor designated the Montana Board of Crime Control to administer the Enforcing Underage Drinking Laws Program. The Department of Public Health and Human Services previously administered the program.

DP 9 - Residential Substance Abuse Training - The legislature approved federal authority of \$350,000 each year of the biennium to assist with operating residential substance abuse programs for juveniles and adults. The division has administered this program for several years, but no base expenditures were made in fiscal 2000 due to the fact that grant funds were frozen until the program could come into compliance with a corrective action plan. Compliance measures were met and funds were released at the end of June 2000.

DP 14 - Computer Crime Unit - The legislature approved a biennial appropriation of federal funds in fiscal 2002 for a computer crime unit. The funds will be subgranted to the Department of Justice's Division of Criminal Investigation to implement the program.

DP 15 - SB 254 - Transfer Crime Victims Comp. - SB 254, passed by the legislature and signed by the Governor, transfers the duties and responsibilities for administration of the Crime Victims Compensation Act of Montana from the Division of Crime Control to the newly created Office of Victims Services in the Department of Justice. This includes 5.0 FTE that will be transferred to the Department of Justice.

DP 693 - Statewide Travel Reduction - The legislature reduced general fund each year equivalent to 11 percent of all general fund expenditures for travel in the fiscal 2000 budget base.

Language

All remaining federal pass-through grant appropriations, including reversions, for the 2001 biennium are authorized to continue and are appropriated in fiscal year 2002 and fiscal year 2003.

Item [Justice System Support Service] includes a reduction of general fund money of \$2,352 in fiscal year 2002 and \$2,352 in fiscal year 2003. This reduction is the equivalent of a 11 percent reduction in fiscal 2000 base budget travel

expenses. The department may reallocate this reduction in funding among divisions when developing 2003 biennium operating plans.

The Board of Crime Control shall update juvenile crime statistics from the child and adult protective services system on the board's web page semi-annually.